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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,859	07/15/2003	Lakhbeer S. Sidhu	A1064	9135
45851	7590	04/24/2006	EXAMINER	
G. VICTOR TREYZ FLOOD BUILDING 870 MARKET STREET, SUITE 984 SAN FRANCISCO, CA 94102			MAI, ANH T	
			ART UNIT	PAPER NUMBER
			2832	

DATE MAILED: 04/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/620,859

Applicant(s)

SIDHU ET AL.

Examiner

Anh T. Mai

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16,22-27,29-31 and 33 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 30,31 and 33 is/are allowed.  
6) ☒ Claim(s) 1-16,22-27 and 29 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. Claim 7 is objected to because of the following informalities: limitation "the length of the via-trench *conductive line* is equal to the length of the via-trench *conductive lines*" appears to be incorrect. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-5, 7, 27, are rejected under 35 U.S.C. 102(b) as being anticipated by Ewen et al. [5446311].

Ewen discloses three metal conductor lines M1, M2, M3 running parallel to each other in respective metal layer dielectric layers 2,4,8 in interconnect dielectric stack; at least one via-trench via line 9 in a via trench dielectric layer wherein the via-trench conductive line lies between two metal layers.

With respect to claim 3, the metal conductive lines, each forms a spiral between first and second terminals [figures 1-3; col 2, lines 10-35].

With respect to claims 4-5, Ewen discloses three vertical conductive line and there are two sets of via trench 9 between M1/M2 and M2/M3 as shown in figure 3.

With respect to claim 7, each via 9 has a length that is equal to the length of via conductive lines.



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**[0039]** Note that the spiral inductor 20 and the electromagnetic wave shield 60 according to the first embodiment

can be formed by use of a manufacturing method generally used for manufacturing a semiconductor device. For example, the spiral inductor 20 and the electromagnetic wave shield 60 may be formed by use of, for example, a damascene process or a dual damascene process as described below. Hereinafter, description will be made for an example of a fabrication method thereof with reference to FIG. 2B.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 8-10, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewen in view of Sia et al.

Ewen discloses the invention as claimed as cited above except for the conductor lines being made of copper. Sia discloses copper as conductive material for his invention. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use copper as conductive material as taught Sia to conductive material as disclosed by Ewen. The motivation would have been to use alternative materials that are available to perform the electrical requirement for the device.

With respect to claims 8-9, 29 limitation "damascene and dual-damascene semiconductor fabrication process" has been considered but not given any patentable weight

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because it's a product by process claim. During the examination, the patentability of a product-by-process claim is determined by the novelty and nonobviousness of the claimed product itself without consideration of the process for making it, which is recited in the claim. *In re Thorpe*, 227 USPQ 964 (Fed cir. 1985).

With respect to claim 10, Sia discloses a stack inductor having top dielectric layer 150' and top conductive line 24/26 is formed in the top dielectric layer [see figure 2].

5. Claims 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewen in view of Tisharo et al. [5515022].

Ewen discloses the claimed invention as cited above except for the via-trench having bottom width less than upper width. Tisharo discloses via 35 having cross shape shows the width of the upper is larger than that of the lower [figure 2; col 6, lines 30-39]. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have tapering shape of the via as taught by Tisharo to Ewen. The motivation would have been to improve large-scale production and product yield and to reduce performance variation and change with time [col 6, lines 37-39]. Therefore, it would have been obvious to combine Tisharo with Ewen.

6. Claim 11 is rejected under 35 U.S.C. 103(a) in view of Ewen.

Ewen discloses the claimed invention except for the concave upper surfaces of the conductive lines. It is obvious that the concave upper surface and convex lower surface are caused by dishing effect during the fabrication process whereas the softness of copper metal lines as disclosed by applicant in the specs, page 4, lines 20-30.

7. Claim 12 is rejected under 35 U.S.C. 103(a) in view of Ewen in view of Niitsu [2002/0128306A1].

Ewen discloses the claimed invention as cited above except for a metal plate between the two metal layers conductive line and the substrate.

Nittsu discloses metal shield 12 disposed between the two metal layer conductive lines 20,30 and surface of substrate 10 [figure 3B; paragraphs 0046-0047]. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a metal plate positioned between metal layers conductive lines and the surface of semiconductor substrate as taught by Niitsu to the inductor as disclosed by Ewen for the purpose of maintain the self-inductance of the inductor and deterioration of Q value can be prevented [page 4, paragraph 51, last sentence]. Therefore, it would have been obvious to combine Niitsu with Ewen.

8. Claims 13-14, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ewen in view of Gillespie [6798039].

Ewen discloses the claimed invention as cited above except for n-type/p-type wells at the surface of substrate that forms a plurality of reversed bias diodes that block eddy currents. Gillespie discloses the alternating regions of implanted n-well and p-well impurities in the substrate underneath the inductor or by reversing p-n junctions underneath the inductor to minimizing eddy currents [col 3, lns 11-16]. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use n-well, p-well at the surface of semiconductor substrate as taught by Gillespie to the inductor as disclosed by Ewen to reduce

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Eddy Current flowing in the substrate. Therefore, it would have been obvious to combine

In FIG. 4A, a plan view of alternating N-type and P-type well regions 40 is provided. These alternating well regions provide a high resistance path in a semiconductor substrate (e.g., bulk semiconductor substrate). This high resistance path operates to reduce eddy currents within a semiconductor substrate when used in conjunction with an inductor according to an embodiment of the present invention. An exemplary inductor may include a plurality of primary strand segments 42 that are concentrically arranged. These N-type and P-type well regions are preferably elongate regions that extend in a lengthwise direction. This lengthwise direction is at least substantially orthogonal (e.g.,  $\geq 45^\circ$ ) to the plurality of primary strand segments. In FIG. 4B, which represents an enlarged plan view of a portion of the alternating regions illustrated by FIG. 4A, the P-type well regions are illustrated as being electrically coupled together at multiple locations. These P-type well regions may be formed within a deeper N-type well region. Eddy current losses can also be reduced by defining an inductor using uppermost levels of metallization that are relatively distant from the substrate.

Gillespie with Ewen.

With respect to claim 16, Ewen in view of Gillespie does not disclose the size of the lateral spiral of less than 200 microns. It would have been obvious to select the dimension of the inductor as the matter of choice to satisfy the desired performance of the device. *In Gardner v. TEC Systems, Inc.*, 725 F.2d 1338, 220 USPQ 777 (Fed.Cir. 1984)

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ewen in view of Gillespie as applied in claim 13 above and further in view of Hsu.

Ewen in view of Gillespie discloses the claimed invention except for an region of shallow trench isolation [STI] formed on the surface of the substrate. Hsu discloses interlayer dielectric stack 58,64,70,76,80,86 lies on a surface of semiconductor substrate 46 comprising two metal layer conductive lines 62,68, that run parallel to each other in respective to dielectric layer of the stack, a conductor via trench 66 electrically connects the two metal layer conductive lines; a region of shallow trench isolation 50 forming on the surface of the substrate and under metal layers [figure 2].



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At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have region of isolation at the surface of semiconductor substrate as taught by Hsu to the inductor as disclosed by Ewen in view of Hsu. The motivation would have been to increase spacing between the conductors and the substrate.

#### *Allowable Subject Matter*

10. Claims 30-31, 33 are allowed.

*Claim 30 recites inter alia, a region of shallow trench isolation that is formed on the surface of the semiconductor substrate under the two metal-layer conductive lines, wherein the conductor comprises a via-trench conductive line that runs parallel to the metal-layer conductive lines.*

The references of record do not teach or suggest the aforementioned limitation, nor would it be obvious to modify those references to include such limitation.

#### *Response to Arguments*

As indicated in the interview summary, the previous paper is Non-Final Rejection; the Summary Action was mistakenly marked as Final. Also, a PTO 892 form, which includes reference Hsu, is included in the instant Office Action.

#### *Conclusion*

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh T. Mai whose telephone number is 571-272-1995. The examiner can normally be reached on 5/4/9 Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on 571-272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**ANH MAI  
PRIMARY EXAMINER**